

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Ruth Y. Goldway, Chairman;
Mark Acton, Vice Chairman;
Tony L. Hammond; and
Nanci E. Langley

Complaint of Ramon Lopez

Docket No. C2011-5

ORDER DISMISSING COMPLAINT

(Issued August 10, 2011)

I. INTRODUCTION

On July 12, 2011, the Commission received a complaint from Ramon Lopez of Coleman, Florida alleging that the Postal Service discontinued mail delivery to his residence located in Homestead, Florida.¹ Mr. Lopez alleges that the Postal Service refuses to deliver mail to his residence causing him to incur unnecessary expenses of approximately \$2,500. *Id.* at 1. He indicates that attempts to resolve the matter with the Postal Service have been unsuccessful. Mr. Lopez seeks restoration of his mail service and compensatory damages of no less than \$2,500. *Id.* at 2.

¹ Complaint of Ramon Lopez, July 12, 2011 (Complaint).

II. JURISDICTION

A complaint may be filed with the Commission if the filing party believes that the Postal Service is not operating in conformance with:

(a) The provisions of 39 U.S.C. chapter 36, or 39 U.S.C. 101(d), 401(2), 403(c), 404a, or 601; or

(b) Any rule, order, or other regulatory requirement based on any of these statutory provisions.

39 CFR 3030.2; *see also* 39 U.S.C. 3662(a).

Mr. Lopez alleges the Postal Service, for unknown reasons, ceased delivery to his residence and refuses to resume mail delivery service to him at that address. Issues related to the delivery of mail, in general, are within the Commission's complaint jurisdiction.

III. RESOLUTION

Mr. Lopez states that he previously attempted to resolve this matter on his own. Exhibits A and B to the Complaint consist of, among other things, letters from Mr. Lopez addressed to various Postal Service officials in Washington, D.C. seeking resumption of delivery service to his residence. Mr. Lopez asserts that none of these efforts led to a satisfactory resolution.

The Commission has established procedures for resolving rate or service inquiry issues. *See* 39 CFR 3031.10 *et seq.* The Commission may, at its discretion, apply these procedures to complaints that concern rate or service matters that are isolated incidents affecting few mail users (with limited exceptions). *See* 39 CFR 3030.13. The provisions of 39 CFR 3031.10 *et seq.* shall be applied to the instant Complaint.

On July 12, 2011, the Commission assigned case number 1475 to the Complaint and forwarded it to the Postal Service as a rate or service inquiry for resolution. In a letter dated July 25, 2011, the Postal Service addressed the reasons deliveries ceased to his residence, the actions it took and the reasons for them, and its policies on the

reinstatement of deliveries. This letter, which was mailed to Mr. Lopez, resolves all issues pertaining to his Complaint.

Pursuant to 39 CFR 3031.11(c), the Commission considers the Postal Service's response as a clear indication that the matter has been resolved. No further action is required regarding the Complaint. Accordingly, the Complaint of Mr. Lopez is dismissed.

It is ordered:

The Complaint of Ramon Lopez, received July 12, 2011, is dismissed.

By the Commission.

Ruth Ann Abrams
Acting Secretary